

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

SAMUEL J. BOURNE,
Plaintiff

2012 AUG -1 A 11: 15
Docket No. 12-cv-251-JL

v.

STATE OF NEW HAMPSHIRE,
SUPREME COURT OF NEW HAMPSHIRE,
LINDA STEWART DALIANIS individually,
JAMES E. DUGGAN individually,
GARY E. HICKS individually,
CAROL ANN CONBOY individually,
ROBERT J. LYNN individually, and
EILEEN FOX individually,

Defendants

Plaintiff's Reply to Defendant's objection to Motion to Recuse and Change of Venue

Now Comes the Plaintiff Mr. Bourne and hereby Reply to the Defendants misleading objection, and the Plaintiff states as follows:

1. First and foremost, the Defendants objection in itself is sufficient evidence that demonstrates that the Defendants do not want to lose their political advantage within this New Hampshire Federal Court. It is widely known that the Justices of this Court were in fact politically appointed by the recommendations of State Defendants to the President of the U.S., therefore having such political advantage would in fact confirm the question of impartiality.
2. Most important is that the Defendants [admit] that the Justices of this NH Federal Court were in fact employed by the same Office or same NH Attorney General that now defends the Defendants herein. Once again, confirming a known conflict of interest, which requires recusal.


3. If it was not for the Justices previous NH State employment, and the NH political favors that allowed the NH Federal Justices of this Court to be appointed, then such obvious conflict of interest would not exist. In other words, the evidence before this NH Federal Court makes it more probable, than not, that the NH Federal Justices previous employment by the Defendants herein, confirms that the Justices impartiality would absolutely be questioned. Therefore, requiring recusal.

4. If there still was any reservation, what-so-ever, to confirm the necessity of recusal and change of venue, then town of Madison Defendants attorney Brian Cullen, has in fact stated and confirmed that he knows this case will be dismissed. Such political fix, once again confirms this Court's impartiality will be questioned. See Cullen email attached hereto as Exhibit A.

WHEREFORE, the Plaintiff requests this Court to:

- A. Grant the Plaintiff's Motion for Recusal, and Change of Venue, and
- B. For such other relief that protects the Court's integrity.

Respectfully Submitted,


Samuel Bourne individually,
117 Pond Street
East Bridgewater, MA 02333
508-378-9319

July 31, 2012

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded via U.S. First Class Mail, postage prepaid, to counsel for the Defendant[s], Michael A. Delaney Attorney General of N.H., and Nancy J. Smith Senior Assistant Attorney General of N.H., 33 Capital Street Concord, N.H. 03301

